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Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

Federal Communications Commission  
Office of Secretary

In the Matter of

Amendment of the Commission's  
Rules to Establish Part 27, the  
Wireless Communications  
Service ("WCS")

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GN Docket No. 96-228

REPLY COMMENTS OF THE ALLIANCE FOR PUBLIC TECHNOLOGY (APT)

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REPLY COMMENTS OF ALLIANCE FOR PUBLIC TECHNOLOGY

The Alliance for Public Technology, a disinterested, non-profit entity with many members, dedicated to promoting policies that permit telecommunications to make a maximum contribution to the quality of life in the emerging information society, herewith submits these brief reply comments. The Alliance fully supports the comments of the Markle Foundation, submitted on December 4, 1996, and thus urges the Commission to adopt a band plan for WCS that would accommodate the opportunity for a nationwide wireless data service. The grounds for this position are shortly stated.

I. The nation would greatly benefit from the provision of a nationwide wireless data service.

The above proposition is indisputable and requires little discussion. There is a clear need for advanced communications in the local arena, where the information superhighway is said today to hit the proverbial "dirt road." Section 706 of the Telecom Act of 1996 calls for the Commission to act in all its regulatory proceedings or methods so as to promote investment in advanced communications capabilities. The latter is defined in 706(c) as "high speed switched broadband telecommunications capability that

enables users to originate and receive high quality voice, data, graphics and video communications using any technology." A nationwide wireless data service would certainly contribute markedly to alleviating the present problems in the local area, and thus to the goal of Section 706.

The present networks of the local exchange carriers are designed largely for voice, and thus face considerable problems today. The increasingly large data streams tie up these networks, and are slow in data delivery (resulting in what is called facetiously, the "world wide wait"). The availability of a high speed, packet switched nationwide data network would thus meet an urgent present-day need.

As stated at the outset, the Alliance's greatest concern is to foster the largest use of telecommunications and information services to enhance the quality of life of all Americans, especially in the areas of education, health, and democratic processes. The nationwide wireless data network would make a signal contribution to that goal, and specifically to the direction in Section 254(b)(2)(A) that the Commission establish rules "...to enhance, to the extent technically and economically reasonable, access to advanced telecommunications and information services for all public and nonprofit elementary and secondary school classrooms, health care providers, and libraries..."

Clearly, the network would be an enormous help in furthering the goal set out in the Recommended Decision of the Joint Board as to Universal Service, that all classrooms have access to the

Internet. It would be available to all regions, would promote distance learning, and relieve the "inside wiring" problem to a considerable extent.

The network would make a similar contribution as to health care, being available to rural areas and facilitating early access to all residences where it might help significantly to make home care more effective.

Finally, we agree with the position set out in the Markle comments that the benefits stemming from the nationwide wireless data system could be achieved quickly because the entire planning for the system would be under the control of one entity. This clearly makes for the greatest possible efficiency. And it does so without sacrificing the possibility of some smaller entities participating, since the band manager could decide to disaggregate and partition.

II. It follows that the band plan for WCS would accommodate the opportunity for the nationwide wireless data service.

We urge that if the Commission is to keep faith with the directives of Section 706 and 254, it should adopt a band plan for WCS that leaves open the opportunity for the nationwide wireless data service. It follows that such a plan should be nationwide and encompass either the entire 30 MHz or two segments of 15 MHz, with the market determining the question of service pairing. To proceed otherwise -- by foreclosing the nationwide approach and doling out the spectrum in smaller allotments -- would undermine obtaining all the benefits described in Point I.

Most important, it would be contrary to the national interest and the specific mandates of the Telecom Act of 1996.

# CONCLUSION

For the foregoing reasons, we urge that the Commission act along the above lines as to the band plan, thus promoting the opportunity for a nationwide wireless data system and serving the explicit goals of Section 254s and 706.

Respectfully submitted,



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